



### **Notice to Prospective Proposers**

March 19, 2009

You are invited to review and respond to this Request for Proposal (RFP) Secondary, entitled IWM08043, "Baja Tire Management Assistance". In submitting your proposal, you must comply with the instructions herein.

Note that all agreements entered into with the State of California will include by reference General Terms and Conditions, Special Terms and Conditions and Contractor Certification Clauses which are referenced in Section II of this package. If you do not have Internet access, a hard copy can be provided by contacting the person listed below.

In the opinion of the California Integrated Waste Management (CIWMB) this RFP is complete and without need of explanation. However, if you have questions, or should you need any clarifying information, the contact person for this RFP is:

Wendy Roberson  
[contracts@ciwmb.ca.gov](mailto:contracts@ciwmb.ca.gov)  
Phone: 916.341.6120  
Fax: 916.319.7518

Please note that no *verbal* information given will be binding upon the State unless such information is issued in writing as an official addendum.

Wendy Roberson  
Contract Administrator

## Table of Contents

Section 1	Overview .....	1
General Information .....		1
CIWMB Contact Information .....		1
Service Needed .....		1
Contract Budget .....		1
Payment Withhold .....		1
Liquidated Damages .....		2
Contract Term .....		2
Process Type .....		2
Process Schedule .....		2
Section II	Rules and Conditions .....	3
Introduction .....		3
Commitment .....		3
Antitrust Claims .....		3
Contractor's Cost .....		3
Information .....		3
Written Questions .....		3
Addenda .....		4
Modification of Submittals .....		4
Errors in Submittals .....		4
Unreliable List .....		4
Negotiating State Contracts .....		4
Electronic Waste Recycling .....		4
Use Tax .....		4
Small Business (SB) Preference .....		4
Disabled Veterans Business Enterprise (DVBE) Preference .....		4
Subcontractors .....		5
Section III	Proposal Submittal Requirements .....	6
Introduction .....		6
Deadline .....		6
Addressing .....		6
Number of Copies .....		6
Document Printing .....		6
Cover Letter .....		6
Table of Contents .....		6
Summary .....		7
Methodology .....		7
Organization .....		7
Qualifications and Resources .....		7
References .....		8
Samples of Written Work .....		8
Contractor Eligibility .....		8
Qualification/Licenses .....		8

Small Business (SB) Participation .....	8
Disabled Veteran Business Enterprise Participation (DVBE) .....	8
Enterprise Zone Act (EZA) .....	9
Target Area Contract Preference Act (TACPA) .....	9
Local Agency Military Base Recovery Act (LAMBRA) .....	9
Maximum Combined Preferences and Rules for Award .....	9
<b>Section IV Cost Proposal Submittal</b> .....	10
Evaluation .....	10
Cost Breakdown .....	10
Travel and Per Diem .....	10
<b>Section V Evaluation and Selection</b> .....	11
Introduction .....	11
Selection Process .....	11
Cost Points .....	11
Grounds for Rejection .....	11
Award of Agreement .....	12
Notice of Intent to Award .....	12
Rejection of Award .....	12
Proposer Notifications .....	12
Protest of Award .....	12
<b>Section VI Description of Work</b> .....	13
Work to be Performed .....	13
Control of Work .....	15
<b>Section VII Definition and Terms</b> .....	16
<b>Attachments</b> .....	18
Cost Proposal Sheet .....	19
<b>PROPOSAL SCORING SHEET</b> .....	<b>21</b>
Small Business/Disabled Veteran Business Enterprises (DVBE) Participation Summary .....	22
Demonstration of Good Faith Efforts .....	23
Darfur Contracting Act .....	24
Recycled-Content Certification .....	25
Proposal Completion Checklist .....	27
Contractor Status Form .....	28
Client References .....	29

## **Section 1 Overview**

### **General Information**

The California Integrated Waste Management Board (CIWMB) promotes a zero waste California in partnership with local government, industry, and the public. This means managing the estimated 76 million tons of waste generated each year by reducing waste whenever possible, promoting the management of all materials to their highest and best use, and protecting public health and safety and the environment.

### **CIWMB Contact Information**

California Integrated Waste Management Board  
Physical Address: 1001 I Street,  
Sacramento, CA 95814  
CIWMB Contracts Unit, MS-19A  
Mailing Address: PO Box 4025,  
Sacramento, CA 95812-4025  
Attn: Contracts Unit, MS-19A

Phone: (916) 341-6120

FAX: (916) 319-7518

EMAIL: [contracts@ciwmb.ca.gov](mailto:contracts@ciwmb.ca.gov)

Any documents delivered in person must be received in the Visitor's & Environmental Service Center located in the lobby of the CalEPA Headquarters Building at 1001 I Street, Sacramento, CA 95814.

### **Service Needed**

The purpose of this agreement will be to provide the State of Baja California, Mexico with technical and organizational assistance to help develop a model waste tire management plan framework regarding waste tire management practices at the state and municipal level. That assistance should ultimately benefit the California/Mexico Border Region and assist in minimizing environmental impacts to California. The model waste tire management plan framework would also provide information regarding enforcement, remediation, alternative uses for tires, marketing assistance, and tracking the flow of tires in Mexico.

The model waste tire management plan framework and technical assistance will ultimately benefit the border region and assist in minimizing public health and environmental impacts to California.

CIWMB is currently under contract with another contractor to prepare a Waste Tire Border Study for the California-Mexico Border Region that will address both environmental and economic impacts of the transport and disposal of waste tires along the California Mexico Border Region. While that Study will provide waste tire flow characterization information, it is not intended to directly address the specific needs for a waste tire management plan framework. California's southern border (approximately 167 miles) is shared almost entirely with Baja California. Preliminary information from the waste tire border study seems to indicate the need for a more coordinated approach to control the transport and disposal of used and waste tires in Baja California. The contractor will assist Baja California, and can use the waste tire border study information in developing the model waste tire management plan framework to address the import, transport, disposal source reduction and recycling of waste tires.

It is intended that the contractor assist the Baja California government entities that are tasked with developing the WMPs required under the IWM Law through development of a model waste tire management plan framework for their use and provision of technical assistance in identifying and evaluating options. The contractor will not be developing the Tire Management Plan for Baja California. The model waste tire management plan framework is intended to be a stand-alone document that can be used to achieve the goals of the overall WMP by municipal governments in Baja California as well as other States in Mexico.

### **Contract Budget**

Subject to passage of the Fiscal Year 2008/09 Budget Act, availability of funds and approval by the Board, there is a current maximum budget of \$160,000.00. The CIWMB reserves the right to amend the budget for this Agreement as needs arise.

### **Payment Withhold**

The provisions for payment under this contract will be subject to a ten percent (10%) withholding per task. The withheld payment amount will be included in the final payment to the contractor and will only be released when all required work has been completed to the satisfaction of the CIWMB.

**Liquidated Damages**

The selected Contractor, to receive award of this agreement, will be subject to liquidated damages if required deliverables (i.e., reports) are not submitted by the due date(s) outlined in the Scope of Work. See Section II, Commitment, *Special Terms and Conditions* for additional information..

**Contract Term**

The term of this Agreement will span approximately 36 months and is expected to begin in June 2009. The CIWMB reserves the right to amend the term of this Agreement as needs arise.

**Process Type**

Request for Proposal (RFP) (Secondary Method).

**Process Schedule**

This process will be conducted according to the following tentative schedule where all times are Pacific Time

Advertisement Date	March 19, 2009
Written Questions Due by 5:00 pm	April 2, 2009
Submittal's Due by 2:00 pm	April 24, 2009
Post Notice of Intent to Award	May 13, 2009

---

## **Section II Rules and Conditions**

### **Introduction**

There are conditions that this RFP, submitting Proposers, proposals and resulting Agreements are subject to and/or required to comply with.

### **Commitment**

Upon submittal of a Proposal, the Contractor has committed to comply with the following requirements:

- All items noted in RFP documents
- Special Terms and Conditions available for viewing at [www.ciwmb.ca.gov/Contracts/Forms/SpeTermsCond.pdf](http://www.ciwmb.ca.gov/Contracts/Forms/SpeTermsCond.pdf)
- General Terms and Conditions (GTCs) available for viewing at [www.ols.dgs.ca.gov/Standard+Language](http://www.ols.dgs.ca.gov/Standard+Language).
- Contractor Certification Clauses (CCCs) available for viewing at [www.ols.dgs.ca.gov/Standard+Language](http://www.ols.dgs.ca.gov/Standard+Language).

If the proposer fails to meet any of the requirements or comply with the CIWMB requests, the CIWMB can reject, disqualify, or remove the firm from the process. The CIWMB is not committed to award an Agreement resulting from this RFP.

### **Antitrust Claims**

In submitting a Proposal Package to a public purchasing body, the Proposer offers and agrees that if the Proposal Package is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the Proposer for sale to the purchasing body pursuant to the Proposal Package. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the Proposer. (See Government Code Section 4552.)

If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the Proposal Package price, less the expenses incurred in obtaining that portion of the recovery. (See Government Code Section 4553.)

Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. (See Government Code Section 4554.)

### **Contractor's Cost**

All costs resulting from the contractor's participation in the RFP process are at the firm's expense. No costs incurred by the contractor participating in the RFP process will be reimbursed by the CIWMB.

### **Information**

All information obtained or produced during the course of the Agreement will be made available to the CIWMB.

Any information that qualifies as confidential or a trade secret(s) under the Public Records Act (PRA) or the Public Contract Code (PCC) and is thus exempt from disclosure under those statutes must so be marked by the proposer prior to submission to the CIWMB. Any claims of confidentiality or trade secret(s) except as to information that qualifies as such under the PRA or PCC may result in disqualification.

The CIWMB will hold information deemed confidential or trade secret(s) by the proposer to the extent allowable by the California Public Records Act and the Public Contract Code.

### **Written Questions**

The RFP includes a formal question and answer period in which proposers have the opportunity to submit questions regarding the RFP. All questions must be submitted in writing either by mail, fax, or e-mail to the CIWMB Contact as listed in Section I. The questions and answers will be published in an Addendum to the RFP (see below, Addenda).

**Addenda**

The CIWMB reserves the right to amend, alter, or change the rules and conditions of this RFP.

Any ambiguity, conflict, discrepancy, omission, or other error discovered in the RFP should immediately be reported to the CIWMB prior to the deadline for submission of written questions. The CIWMB will issue addenda to address such issues.

**Modification of Submittals**

A Proposal submitted prior to the submittal deadline, can be withdrawn or modified by the submitting proposer. The proposer must:

- Provide a written request
- Identify the requesting individual and their association to the proposer

A Proposal cannot be withdrawn for modification after the submittal deadline has passed.

**Errors in Submittals**

An error in a Proposal package may be cause for rejection of that proposal.

The CIWMB may make certain corrections, if the Proposer's intent is clearly established based on review of the complete proposal.

**Unreliable List**

Any contractor or subcontractor currently of the CIWMB Unreliable list, is ineligible to apply for or participate in this contract.

**Negotiating State Contracts**

This solicitation and any resulting contract or amendments are subject to the conditions set forth in PCC 6611.

If any of the conditions identified in PCC 6611 exist, the Department of General Services may perform contract negotiations, if it is determined to be in the best interest of the State.

**Electronic Waste Recycling**

If the Contractor or any subcontractors participate in activities that result in the disposition of electronic components, they will comply with the provisions of PRC Chapter 8.5.

**Use Tax**

If, during the course of the agreement, the Contractor will be involved in the re-sale of goods to the State, they must comply with the requirements of Section 6452.1, 6487, 6487.3, 7101, and 18510 of the Revenue and Taxation Code, in addition to Section 10295.1 of the Public Contract Code.

**Small Business (SB) Preference**

Any Bidder competing in this process as a California Certified Small Business, or as a non-SB certifying to subcontract a minimum of 25% of the total contract services to a California Certified SB, will receive a five percent (5%) preference. Certification must be provided by the Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS).

The CIWMB will apply the preference per State law and as described on the DGS website at <http://www.pd.dgs.ca.gov/smbus/sbpref.htm>.

For award based on high score, the incentive is applied by calculating the "earned" score for all bidders: If the highest scored proposal is from a non-certified small business or microbusiness, then:

1. Calculate five percent (5%) of the highest responsible bidder's total score.
2. Add the amount calculated above to the score of each of the bidders eligible for the SB incentive. This new amount is the total score.

Application of the incentive shall not displace an award to a small business with a non-small business.

A copy of the Bidder's SB certification should be included with the Bid Package.

**Disabled Veterans Business Enterprise (DVBE) Preference**

Any Bidder competing in this process as a California Certified Disabled Veterans Business Enterprise, or as a non-DVBE certifying to subcontract a minimum of 3% of the total contract services to a California Certified DVBE, will receive a preference as shown below:

1. Five (5%) and above participation level = bid will receive five percent (5%) preference.
2. Four (4%) participation level = bid will receive two percent (2%) preference.
3. Three (3%) participation level = bid will receive one percent (1%) preference.

Certification must be provided by the Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS).

The CIWMB will apply the preference as follows:

The incentive is applied during the evaluation process and is only applied for responsive bids from responsible bidders proposing the percentage(s) of DVBE participation for the incentive(s) specified above.

For award based on high score, the incentive is applied by calculating the "earned" score for all bidders: If the highest scored proposal is from a non-certified small business or microbusiness, then:

1. Calculate five percent (5%) of the highest responsible bidder's total score.
2. Add the amount calculated above to the score of each of the bidders eligible for the DVBE incentive according to the participation levels. This new amount is the total score.

Application of the incentive shall not displace an award to a small business with a non-small business.

A copy of the Bidder's DVBE certification should be included with the Bid Package

### **Subcontractors**

All subcontractors identified in the proposal, must be experts in their respective disciplines and capable of performing the tasks for which they are hired.

If awarded the agreement, the contractor **must** use all of the SB and DVBE firms identified on the Small Business/DVBE Participation Summary.

The CIWMB reserves the right to approve substitutions of subcontractors, as long as, certified business participation levels remain unchanged.



## **Section III Proposal Submittal Requirements**

### **Introduction**

Failure to follow the instructions contained in this document may be grounds for rejection of a Proposal.

The CIWMB may reject any Proposal if it is conditional, incomplete or contains irregularities.

The CIWMB may waive an immaterial deviation in a Proposal, if deemed in the best interest of the CIWMB.

### **Deadline**

The proposal package must be received by the CIWMB, at the address listed in Section I, Overview by 2:00 p.m. on April 24, 2009.

Proposals received after the deadline, will be considered late and returned to the Proposer unopened.

### **Addressing**

The proposal package must clearly state that it is in response to this RFP and note the RFP number listed with the direction of "Mailroom – do not open."

### **Number of Copies**

The Proposer is required to submit all required documents in the following format:

- One original, non-bound hard copy marked "Original"
- 5 bound, hard copies marked "Copy"
- One electronic copy on disc or compact disc viewable by Adobe Acrobat Reader. Entire proposal, including any attachments, must be saved as a single document.

It is the submitting Proposer's responsibility to ensure that the electronic copy is formatted in Adobe Acrobat Reader and viewable by the CIWMB.

### **Document Printing**

All documents must be submitted double-sided on paper with a minimum of 100% post-consumer recycled content fiber.

### **Cover Letter**

The cover letter shall be signed by an individual who is authorized to bind the Proposer and shall indicate that person's title or position. The cover letter must be on the Proposer's company letterhead and contain the following information:

- a. Name and address of the Proposer submitting qualifications;
- b. Proposer's Headquarters for purposes of this agreement, if awarded;
- c. Name, telephone number, and e-mail address of a person who can be contacted if further information is required;
- d. Name, title, address, telephone number, and e-mail address of individual(s) with authority to negotiate and execute a binding Agreement on behalf of the Proposer;
- e. Statement that personnel who will provide services under the agreement will have the required certifications and that bidder will have qualified personnel available to meet the service needs;
- f. Statement attesting to the fact of the percentage of post consumer recycled content fiber paper used in the compilation of the CBS package;
- g. Statement stating that the Contractor and any Subcontractors to be used during the performance of the contract are eligible to contract with the State of California, pursuant to PCC 10286;
- h. OSDS Reference number issued to the certified SB/MB by the Department of General Services.

### **Table of Contents**

The information must be organized as presented with corresponding page references.

## **Summary**

The Proposer must include a brief overview of the project and summarize the Proposer's approach to the work.

## **Methodology**

The proposal must include a Work Plan describing the methods to be employed to accomplish the project objectives. The methodology must be described in sufficient detail to allow CIWMB staff to evaluate the methods and must address all tasks and items in the Scope of Work.

Proposals must describe how the objectives will be met and the methods the contractor will use. The description must include not only what work will be performed, but how it will be performed.

The tasks described in the Scope of Work outline a general approach for meeting the requirements; however, alternative approaches for some or all of the tasks may be proposed if they meet or exceed the requirements in meeting the project objectives.

## **Organization**

Provide a brief description of the organization's services and activities, including:

- Date of establishment
- History
- Location
- Any known conflicts of interest

## **Qualifications and Resources**

The prospective contractor must have the experience, qualifications, and resources to perform the required tasks of the project.

The following Qualifications shall be considered important for this agreement:

Each proposal must include a description of the resources to be used on the project while demonstrating an individual or team members' abilities to perform the work. The proposals must include resumes for the Project Manager, Personnel and Subcontractors, that include knowledge and experience with:

- Computer Experience that will allow the following
  - Compilation of data
  - Organization of information
  - Ability to do research on the World Wide Web
  - Ability to display information in an organized way the data contain in computer formats
- Organization Management Experience
- Experience with design, development, and production of Waste Management Tire Plans
- Expertise in waste and used tires
- Ability to speak & work with personnel in the Spanish language
- Ability to translate documents from English to Spanish and Spanish to English
- Ability to research waste tire information and categorize for plan development
- Knowledge and experience with import and export process and fed regs covering tires/ tire products going across the border (for example a lot of tires are sold as is for reuse in Mexico as used tires or recap stock)
- Knowledge and experience with regional markets, pricing and demand for car/truck tires/tire derived products
- Knowledge and experience with marketing techniques for tires/tire products in US and Mexico
- Knowledge of Tire regulations in CA and Mexico
- Report writing for the project results report
- Ability to prepare informative correspondence regarding project efforts and activities to Mexican Federal/ State/ Municipal Government officials and stakeholders
- Ability to travel to BC/San Diego Area to establish contacts with Mexican Federal/ State/ Municipal Government officials and stakeholders
- Experience engaging Federal/ State/ Municipal Government officials and stakeholders in the development of the planning documents and soliciting participation and input
- Experience scheduling scoping meetings, trainings, and technical support workshops with government officials and stakeholders
- Experience scheduling field trips/meetings to identify industry partners
- Experience in setting up conferences that are attended by officials from both Baja California and California, including knowledge of associated logistics and travel issues that attendees might have

### References

The Proposer's team must provide a minimum of three (3) verifiable references and/or experience that support the above qualifications.

The CIWMB reserves the right to seek references in addition to the client references provided by the Proposer, as it deems necessary.

If a reference or project experience is unable to be verified, it will be disregarded.

### Samples of Written Work

The Proposer's team must include a copy of a verifiable written work that is similar in nature to the proposed project and deliverables.

Contractor will be producing a product showing the framework for use in Baja California, Mexico. Please submit any documents done for Non United States Governments or documents provide in the Spanish Language.

Resumes of all staff who will work on the project or time will be charge to this contract. Also a list and resume' of all persons that may be contracted for work on this project and what their duties will be.

### Contractor Eligibility

The Proposer must include a written declaration, stating that the Contractor and any Subcontractors to be used during the performance of the contract are eligible to contract with the State of California, pursuant to PCC 10286.1. Statement may be included in the cover letter.

### Qualification/Licenses

The Contractor shall be an individual or firm qualified to do business in California. Required documentation includes the following as applicable:

- A copy of the Proposer's registration with the Secretary of State.
- Additionally, pursuant to the California Business and Professions Code, for services of a "professional" nature requiring a professional license issued by the CA Department of Consumer Affairs, Proposers must submit a copy of the appropriate license(s) for each team member who will provide "professional" services under the contract.

### Small Business (SB) Participation

**IMPORTANT-REVIEW GOOD FAITH EFFORT REQUIREMENTS IMMEDIATELY.** The CIWMB expects a minimum of twenty-five percent (25%) of the project services to be contracted to a California OSDS Certified SB that performs a commercially useful function.

This goal can be achieved by a combined effort of the prime and/or any subcontractors, that includes:

- If the Proposer is a Certified OSDS SB, as defined in Section V Definitions and Terms, the Participation Summary (see Attachments) must be completed and submitted with the proposal.
- If the Proposer has identified subcontractors to be utilized to meet this goal, the Participation Summary (see Attachments) must be completed and submitted with the proposal.
- If the Proposer has made a good faith effort (see Attachments) to meet the 25% goal and has been **unable to secure a certified OSDS SB, a Demonstration of Good Faith Effort (see Attachments) must be completed and the Participation Summary (See Attachments) must indicate the percentage (even if zero) of services that will be provided by the SB.** Both forms must be submitted with the proposal.

### Disabled Veteran Business Enterprise Participation (DVBE)

**IMPORTANT-REVIEW GOOD FAITH EFFORT REQUIREMENTS IMMEDIATELY.** The CIWMB expects a minimum of three percent (3%) of the project services to be contracted to a California OSDS Certified DVBE that performs a commercially useful function.

This goal can be achieved by a combined effort of the prime and/or any subcontractors, that includes:

- If the Proposer is a Certified OSDS DVBE, as defined in Section V, Definitions and Terms, the Participation Summary (see Attachments) must be completed and submitted with the proposal.
- If the Proposer has identified subcontractors to be utilized to meet this goal, the Participation Summary (see Attachments) must be completed and submitted with the proposal.
- If the Proposer has made a good faith effort to meet the 3% goal and has been **unable to secure a certified OSDS DVBE, a Demonstration of Good Faith Effort (see Attachments) must be completed and the Participation Summary (See Attachments) must indicate the percentage (even if zero) of the services that will be provided by the DVBE.** Both forms must be submitted with the proposal.

### **Enterprise Zone Act (EZA)**

If the budget for services outlined in this announcement, exceeds \$100,000, the CIWMB will grant a preference for EZA qualified proposers.

The Proposer must provide reasonable demonstration of contract labor hours and certify that they will comply with the requirements of the EZA.

If the Proposer is qualified for this preference, the EZA Preference Request Form must be included in the proposal submittal.

The form may be downloaded at [www.ciwmb.ca.gov/contracts/forms](http://www.ciwmb.ca.gov/contracts/forms).

### **Target Area Contract Preference Act (TACPA)**

If the budget for services outlined in this announcement, exceeds \$100,000, the CIWMB will grant a preference for TACPA qualified proposers.

The Proposer must provide reasonable demonstration of contract labor hours and certify that they will comply with the requirements of the TACPA.

If the Proposer is qualified for this preference, the TACPA Preference Request Form must be included in the proposal submittal.

The form may be downloaded at [www.ciwmb.ca.gov/contracts/forms](http://www.ciwmb.ca.gov/contracts/forms).

### **Local Agency Military Base Recovery Act (LAMBRA)**

If the budget for services outlined in this announcement, exceeds \$100,000, the CIWMB will grant a preference for LAMBRA qualified proposers.

The Proposer must provide reasonable demonstration of contract labor hours and certify that they will comply with the requirements of the LAMBRA.

If the Proposer is qualified for this preference, the LAMBRA Preference Request Form must be included in the proposal submittal.

The form may be downloaded at [www.ciwmb.ca.gov/contracts/forms](http://www.ciwmb.ca.gov/contracts/forms).

### **Maximum Combined Preferences and Rules for Award**

In combination with any other preferences (TACPA, EZA, LAMBRA, SB, , DVBE, participation, etc), the maximum limit of the combined preferences is 15% of the bid amount and, in no case, more than \$100,000.00 per solicitation.

Preference programs for TACPA, EZA, LAMBRA, or the non-SB subcontracting preference cannot displace a direct award to a certified SB. In the event of a tie between a SB/MB and a firm that is SB/MB and DVBE, the award shall be made to the firm that is SB/MB and DVBE.

## **Section IV Cost Proposal Submittal**

### **Evaluation**

The Contractors cost proposal submittal will be evaluated based on whether the cost breakdown is sufficiently detailed to determine if the proposed expenses are reasonable.

### **Cost Breakdown**

The cost proposal must specify the total cost and include detailed project costs, as required in the Cost Proposal Sheet. The winning proposer's invoices must be itemized as shown in the submitted cost sheet.

The subcontractor commitments must be identified, by task and dollar amount, and included in the task by task cost proposal submittal.

The costs identified, should take into consideration the length of the contract, rise in salaries and administrative overhead costs. Failure to budget for all tasks included in the Scope of Work will be grounds for disqualification.

If fringe benefits and/or overhead are not specifically itemized in the Cost Proposal Sheet and if the proposer inserts a \$0, proposer must explain on the Cost Proposal Sheet why these line items are not itemized. A blank space for either fringe benefits or overhead will be grounds for immediate disqualification.

Failure to include on the Cost Proposal Sheet budgeted costs for all tasks included in the Scope of Work will be grounds for disqualification.

The cost proposal sheet is a self-contained document for purposes of calculating cost points and evaluating whether all information required by the RFP has been submitted. Therefore, all information (such as explanations of \$0 instead of itemized costs) must be included on the cost proposal sheet. Reference by incorporation to the proposal is not acceptable.

The amount identified on the cost breakdown may not be changed and will remain in effect for the life of the agreement.

### **Travel and Per Diem**

Travel and per diem will be taken in accordance with State of California Standards and are to be part of the agreement. No work orders or changes are anticipated. Any change orders will require either an adjustment to the budget in the agreement or a request from the CIWMB Board for additional funds.

The intent and product for this agreement is to assist the development of a framework for a waste tire management plan for the State of Baja California Mexico. The product may be used by other States in Mexico to assist them in their work on Tire Issues. Once the work is accepted by the CIWMB Board it will be provided to Officials of Baja Mexico, California for their use. Work to assist the development of the framework may be performed anywhere in California but the product and deliverables are directly related to Baja California. It is also anticipated that there may be times that meeting and discussion are going to be held in Baja California.

Lodging, food, and incidental expenses on trips in support of services will be reimbursed at the following State per diem rates per 24 hour day for the length of the contract. All travel will be reimbursed at the excluded employee travel rates in accordance with the California Code of Regulations Title 2, Division 1, Chapter 3, Subchapter 1, Article 2, Section 599.615.1 et seq.. Per diem (lodging, meals and incidentals) will not be reimbursed for travel within 50 miles of Contractor's headquarters.

- Lodging (receipts required) per day–
  - Most locations up to a maximum of \$84 plus tax
  - Counties of Los Angeles and San Diego up to a maximum of \$110 plus tax
  - Counties of Alameda, San Francisco, San Mateo and Santa Clara up to a maximum of \$140 plus tax
- Meals (breakfast, lunch and dinner) – up to a maximum of \$34 per day
- Incidentals – up to a maximum of \$6 per day
- Coach airfare, mid-size/economy rental cars, and fuel – actual costs verified by bills or receipts. First Class or Business Class air travel is not allowed

## Section V Evaluation and Selection

### Introduction

The CIWMB will perform a Pre-Qualification Evaluation process to ensure that the Proposer has included all required documentation in the Proposal submittal.

If a proposal package does not meet all of the requirements set forth in this RFP, it will be considered non-responsive and rejected from further competition.

Those Proposer's submittals that pass this review will be forwarded to the Selection Committee for Evaluation.

### Selection Process

The Selection Committee will evaluate and score all proposals passing the Pre-Qualification Evaluation, utilizing the Scoring Criteria identified in this RFP.

Only those proposals that receive a score of at least the minimum requirement identified on the Scoring Sheet will be ranked.

### Cost Points

Cost points account for 30% of the total points available (see Proposal Scoring Sheet). Proposers will be awarded Cost Points as follows:

- 1) Lowest cost proposal is awarded the maximum cost points.
- 2) Other proposals are awarded cost points based on the following calculation:

Other Proposer's Cost Points = (factor\*) X maximum cost points

\* factor is the Lowest Proposer's cost divided by Other Proposer's cost

#### EXAMPLE

*Lowest Proposer's cost = \$10*

*Other Proposer's cost = \$12*

*Maximum cost points = 30 cost points*

*factor = \$10 ÷ \$12 = .83*

*Cost Points Calculation for Other Proposer's Cost*

*.83 X 30 cost points = 25 cost points*

*Final Cost Points Awarded*

*Lowest cost proposal receives 30 cost points*

*Other cost proposal receives 25 cost points*

### Grounds for Rejection

All proposals may be rejected whenever the determination is made that the proposals received are not really competitive, when the cost is not reasonable, or when the cost exceeds the amount expected.

Additionally, a proposal may be rejected if:

- It is received after the due date and time for submittal
- The cost submittal is unsigned
- The proposal cost is not prepared as required by the RFP
- The Proposer has been prohibited from contracting with the State by the Department of Fair Employment and Housing
- The Proposer has received a substantive negative contract performance from the State
- The Proposer has not met the participation goals for SB and DVBE and has not completed the steps and related form for the Good Faith Effort
- Any items required by the RFP are not included with the submittal

No proposal may be rejected arbitrarily or without reasonable cause.

**Award of Agreement**

Award of this Agreement will be to the highest ranking responsible Proposer meeting all of the RFP requirements.

In the event of a tie, the CIWMB may utilize a tie breaker to determine the winning Proposer. The tie breaker will be determined based on which proposer has the most SB and DVBE participation identified in the bid package

The CIWMB reserves the right to not award an Agreement.

**Notice of Intent to Award**

The CIWMB will post a notice of intent to award this Agreement five (5) working days prior to the award being made.

Notice of the intent to award will be posted on the CIWMB's website at [www.ciwmb.ca.gov/contracts](http://www.ciwmb.ca.gov/contracts) and at the headquarters building noted in Section I.

**Rejection of Award**

If the Proposer fails to enter into a satisfactory Agreement within a reasonable timeframe after the award is made, the CIWMB may deem that the Proposer has rejected the award.

The CIWMB reserves the right to disqualify the awardee and award the Agreement to the next highest ranked Proposer.

**Proposer Notifications**

The CIWMB will notify all Proposers of the outcome of their proposal submittals, prior to posting the notice of intent to award.

**Protest of Award**

A Proposer may protest the proposed award by filing an official protest with the Department of General Services. The protest must be filed after the notice of intent to award the contract, but before the actual award.

Within five (5) days of the initial protest filing, the Proposer must submit a detailed written statement with information that supports that the Proposer would have been awarded the contract and the grounds for that position.

The Agreement will not be awarded until a decision has been made on the filed protest.

The protest documents should be sent via registered mail to the following parties:

Department of General Services  
Office of Legal Services  
Attn; Protest Coordinator  
707 Third Street, 7<sup>th</sup> floor  
Sacramento, CA 95605  
Fax (916) 376-5088

California Integrated Waste Management Board  
Attn; Contracts Unit  
1001 I Street, MS-19A  
Sacramento, CA 95814  
Fax (916) 319-7582  
Email [contracts@ciwmb.ca.gov](mailto:contracts@ciwmb.ca.gov)

## Section VI Description of Work

### Work to be Performed

Provide technical assistance to the State of Baja California, Mexico through development of a model waste tire management plan framework and provision of technical assistance. This effort will leverage the knowledge and experience of local, state and federal agencies from both sides of the border to develop a model plan for managing waste tires in Baja California. The purpose of this agreement will be to provide the State of Baja California, Mexico with a model waste tire management plan framework for organizational and technical assistance regarding waste tire management practices at the municipal level. These efforts will be coordinated with appropriate CIWMB staff and contractors that are currently providing technical assistance to the CIWMB.

The work performed under this agreement will include, but not be limited to, development of a project workplan and timeline for completion of each of the tasks required, providing assistance to Baja California, Mexico in determining the current waste tire flow, business needs for management and regulatory aspects, best practices development, and performance measures for both business and governmental aspects of used and waste tire management. Additionally the contractor shall prepare for submittal to the CIWMB status reports, and a draft and final report in the manner described below, as well as public presentations of the materials needed.

### TASKS IDENTIFIED

Each of the following Tasks is subject to CIWMB Contract Manager's (Contract Manager) approval prior to payment authorization.

The Contractor will provide a model waste tire management plan framework and technical assistance for officials of Baja California, Mexico as they develop the WMP that they will use to regulate, control, monitor, and enforce the IWM Law in Baja California. CIWMB realizes that this effort will be to assist Baja California in its efforts and understands that the contractor may subcontract some of this work, upon CIWMB contract manager's approval, to others who can assist in this effort. The type of work the Contractor shall perform includes, but is not limited to, the following tasks:

1. The model waste tire management plan framework shall be developed with input from stakeholders for waste and used tire issues in Baja California in cooperation with Baja California officials.
2. Development of the methodology for the model waste tire management plan framework, work plan, timelines and costs that will be used to accomplish the objectives and tasks necessary in this agreement to provide assistance to the State of Baja California as outlined in this project agreement. The CIWMB Contract Manager will work with the Contractor and subcontractors as necessary to review and approve the methodology, task timelines, and costs to be used for this study. This task shall indicate to what government organizations assistance will be provided. Task #2 will be completed and approved prior to work on subsequent task numbers 3-10 identified. Tasks, goals, costs, and timelines will be clearly outlined in this methodology and approved by the CIWMB contract manager. A draft project work plan and timeline will be submitted to the CIWMB contract manager for review and approval within four months of the execution of this contract. A draft model waste tire management plan framework (including information specified in task #4) will be completed within 15 months of the execution of the agreement. All listed tasks must be completed within the term of the contract.
3. Collect, review, and analyze current regulations and requirements in Baja California, Mexico. Review current regulations in other states of Mexico that might be applicable for use or adoption in Baja California. This may include best management practices included in other existing waste tire management plans or programs within Mexico.
4. The model waste tire management plan framework shall include all current and relevant information available regarding waste tire issues in Baja California. This includes studies completed in the United States regarding waste tire issues or management plans. The model waste tire management plan framework shall provide methodologies for determining effective tire management programs. Topics to be included in the model waste tire management plan framework should include, but are not limited to:
  - a. Methods to identify all appropriate existing waste tire storage, disposal and recycling infrastructure and facilities in Baja California, Mexico. Infrastructure analysis consists of examining both the regulatory infrastructure and the industry/technical infrastructure.
  - b. Methods to identify and assess current technical capabilities to handle waste and used tires.



- c. Methods to identify and assess current transportation routes for waste and used tires and analyze sources, disposition, and volumes of tires being transported within the border region. One possible source for this may be the Waste Tire Border Study which will be completed under an agreement with the CIWMB.
  - d. Methods to identify numbers (volume) of tires, tires generated, tires disposed of within a jurisdiction.
  - e. Methods to identify practices to reduce health and safety issues associate with storage of tires and waste tire facilities, including evaluation criteria and costs.
  - f. Methods to identify and evaluate enforcement options to implement the IWM Law and regulations including evaluation criteria, costs and funding.
  - g. Methods to evaluate options to source reduce the number of waste tires. The discussion should include both preventing waste tires from entering the waste stream within Baja California and preventing waste tires from entering Baja California. This section should include evaluation criteria, costs, and funding.
  - h. Methods to identify and evaluate recycling options for the waste tire stream including evaluation criteria, costs, and funding.
  - i. Methods to identify and evaluate markets for recycled tires including evaluation criteria, costs and funding.
  - j. Methods to determine effective education and public information campaigns to create public awareness, and encourage participation in, tire management, source reduce, and recycling, including evaluation criteria, costs and funding.
  - k. Methods to identify and evaluate the future needs for capacity for disposal and storage of waste tires, and recycling programs, including evaluation criteria, costs and funding.
  - l. Methods to identify and evaluate appropriate performance measures based on the IWM Law and available information.
5. Provide several opportunities for stakeholders to come together to discuss the model waste tire management plan framework for Baja California. The contractor is required to identify the appropriate venue for presenting information and resources developed through this agreement with consultation and final approval of the CIWMB contract manager.
6. Provide an opportunity for stakeholders to provide input on the draft model waste tire management plan framework. The method for input and timeframe for input shall be specified in the timeline developed in Task #2.
7. Presentations
  - a. Presentations shall include
    - I. Contractor will provide a minimum of three presentations to the CIWMB in Sacramento to share information and discuss options with regards to the progress of this agreement. Dates of these presentations shall be determined based on the timeline developed in Task #2.
    - II. Contractor shall also provide at least two update presentations as requested by the CIWMB Contract Manager regarding this project.
8. Interpretive Resources
  - a. Contractor shall provide language interpretation resources for project stakeholders as needed for meetings, conferences and other communication needs as required and approved by the CIWMB contract manager.
9. Status Reports
  - a. The contractor shall provide monthly written reports on the status and progress of the work performed under this agreement. The monthly report will include both technical assistance work and development of the model waste tire management plan framework. These reports must be submitted to the CIWMB Contract Manager for review. The reports shall be submitted no later than 15 days past the end of each month. The Contract Manager has the authority to request additional information on the status of task completion. These status reports shall be used to keep the CIWMB up to date on the progress and for confirmation of work performed for billing purposes.
10. Final Report
  - a. Produce a model waste tire management plan framework as part of the final study document incorporating comments provided by CIWMB and under Task 4. The final document submittal shall include any maps, photographs, graphic tables, and figures used in the development of the

model waste tire management plan framework in both written and electronic forms. The Contractor shall translate the final document into Spanish. The Contractor shall submit the final document in both English and Spanish. The Contractor shall submit 10 bound hard copies and 5 electronic copies (CD-ROM format) in English and 10 bound hard copies and 5 electronic copies (CD-ROM format) in Spanish.

- b. At least three months prior to the end term of the contract, Contractor shall submit a Draft Final Report. CIWMB shall have at least 3 months to review the draft report so that comments and suggestions may be returned to the contractor.
- c. The format for the final study shall be approved by the CIWMB contract manager

Report Provisions:

- All documents and/or reports drafted for publication by or for the CIWMB in accordance with this contract shall adhere to the CIWMB's Contractor Publications Guide at [www.ciwmb.ca.gov/Publications/PubGuide/](http://www.ciwmb.ca.gov/Publications/PubGuide/) and both the draft and final reports shall be reviewed by a technical editor (unless Contract Manager does not require this) of the Contractor's choosing prior to submission to the CIWMB Contract Manager for review.
- The Contractor shall provide the draft and final report in electronic format and must include all files (including graphic images) used to prepare any deliverable prepared under the Agreement. The electronic format must be compatible and consistent with CIWMB format and protocols in place at the time of submittal.
- The final report will be subject to acceptance in fulfillment of the contract by the CIWMB Contract Manager. All recommended changes shall be made prior to submittal of a final report.
- If the final report contains copyrighted work in print (tables, graphics, or photographs), or other materials taken from copyrighted sources, the Contractor shall cite the copyrighted material in the final report and obtain permission to use the copyrighted material. Contractor shall secure express written permission from the copyright holder or the holder's licensing representative. Contractor will include letters of permission to use copyrighted material as an Appendix in the Final Report. If Contractor does not secure permission to use copyrighted material, said material will not be used in the final report.

## Control of Work

1. The CIWMB Contract Manager has the authority to determine the quality and acceptability of the following:
  - Work to be performed
  - Rate and progress of the work
  - Fulfillment of the services provided by the Contractor
  - Compensation for services provided by the Contractor

These decisions will be deemed final and enforceable by CIWMB Contract Manager when the Contractor fails to complete orders required by this Agreement.

2. The Contractor will designate a Project Manager who holds the following authority:
  - Act as the Contractor's Representative for work to be provided under this Agreement
  - Act as the Contractor's Representative regarding contractual matters relating to this Agreement

If during the course of the Agreement, it is deemed necessary to replace the Project Manager, CIWMB Contract Manager approval is required.

## Section VII Definition and Terms

### General

Unless the context otherwise requires, wherever in this RFP or addenda, the following abbreviations and terms, or pronouns in place of them, are used, the intent and meaning shall be interpreted as provided in this Section.

Working titles having a masculine gender, such as "draftsman" and "journeyman" and the pronoun "he", are utilized in these provisions for the sake of brevity, and are intended to refer to persons of either sex.

### Abbreviations

ADA	Americans with Disabilities Act
CAL EPA	California Environmental Protection Agency
CCR	California Code of Regulations
DVBE	Disabled Veteran Business Enterprise
EPA	Environmental Protection Agency (Federal Government)
GC	Government Code
CIWMB	California Integrated Waste Management Board
PCC	Public Contract Code
RFP	Request for Proposals
SB	Small Business
SOW	Scope of Work
OSDS	The Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS)

### Agreement

The written agreement covering performance of the work and furnishing of labor, materials, tools, and equipment in providing the work. The Agreement shall include the RFP, Proposal, general and specific terms and conditions, Work Orders, and supplemental agreements which may be required to complete the work in a substantial and acceptable manner.

### Board

Members of The California Integrated Waste Management Board.

### Cal EPA

The California Environmental Protection Agency

### CIWMB

The California Integrated Waste Management Board

### CIWMB Staff

Staff of the California Integrated Waste Management Board involved in the implementation of this contract or representatives of Consultant to the California Integrated Waste Management Board as designated in the Work Orders.

### Consultant

The person or persons, firm, partnership, corporation, or combination thereof, which may enter into this Agreement with the CIWMB to provide work pursuant to this RFP or his or their legal representatives

### Contract

A legally binding agreement between the state & another entity, public or private, for the provision of goods or services

### Contract Manager

A person designated by the responsible state agency or department to manage performance under a contract.

### Contractor

A party contracting with the awarding agency. Vendor is often used synonymously with contractor.

### Director

The Executive Director of the California Integrated Waste Management Board, or his/her designees. Any references to Executive Officer shall mean the Executive Director and/or designated officer.

**Disabled Veteran Business Enterprise (DVBE Certified)**

A business that meets all of the following criteria: (1) at least 51% of the business is owned by one or more disabled veterans or, in a business whose stock is publicly held, at least 51% or more of the stockholders are disabled veterans (2) the management and control of the business are exercised by one or more disabled veterans; (3) the business is domestically owned and its home office is in the United States; and (4) the business has been certified as a DVBE by the State of California, Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS).

**Legal Holiday**

Those days designated as State holidays in the Government Code.

**Project Manager**

Contractor's representative for all work performed under this Agreement. All official correspondence, reports, submittals, billings, and other work done under this Agreement shall be reviewed and signed by the Project Manager prior to submittal to the CIWMB.

**Scope of Work**

The description of work required of a contractor by the awarding agency.

**Small Business (Certified)**

A business that has been certified by the Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS), as a small business as defined in GC 14837 and 2 CCR 1896.

**State**

The State of California.

**State Contract Law**

The Public Contract Code and other applicable laws that form and constitute a part of the provisions of this Agreement to the same extent as if set forth herein in full.

**Subcontractor**

A person or entity which contracts with the Contractor to perform all or a portion of the work as specified in the Scope of Work.

## **Attachments**

**Cost Proposal Sheet**  
**Baja Tire Management Assistance**  
**IWM08043**

Complete this form and submit the original in accordance with the requirements of this RFP.  
Any invoices submitted by contractor will identify line item costs and corresponding task number.

Contractor/Company Name: \_\_\_\_\_

Task #	Personnel Services: (Do not include travel or overhead) estimated # of hrs needed for contract services multiplied by the individual or position rates per hr.. (Include name/position title and hours)				Fringe Benefits (Identify fringe benefit costs citing actual benefits or as a percentage of personal services costs)	Operating Expenses (operating expenses related to the services provided in this agreement, including rent and supplies, as applicable)	Equipment Costs (Include a description of equipment)	Travel Expenses (Include travel expenses and per diem. Rates are set at the rate specified by DPA for excluded employees)	Overhead (This information must be provided)	Other (any other specific breakdown required to sufficiently explain the budget costs)	Total by Task
	Name/ Position	\$/Hr	Hrs	Total \$							
Total by Line Item	(Sum of Total \$)										GRAND TOTAL

**Acknowledgement/Authorization**

The undersigned acknowledges the submittal of this proposal constitutes an irrevocable offer for a ninety (90) day period for the CIWMB to award an Agreement. Additional acknowledgement is made of receipt of all competitive documents, including Addenda, relating to this Agreement.

The undersigned acknowledges that the Proposer has read all of the requirements set forth in CIWMB documents and will comply with said provisions.

The undersigned hereby authorizes and requests any person, firm, agency, or corporation to furnish any information requested by the CIWMB in verification of the recitals comprising this Proposal and also hereby authorizes the CIWMB to contact such persons, firms, etc., in order to obtain information regarding the undersigned.

The undersigned acknowledges that there are no potential conflicts of interest, as defined in Public Contract Code (PCC) 10410, 10411, and Government Code (GC) 87100, by the submitting firm and/or any subcontractors listed in the Proposal.

I declare under penalty of perjury that the foregoing is true and correct.

Name & Title of Authorized  
Representative:

Contractor Name:

Address:

Telephone #:

City, State Zip:

Email:

Signature of Authorized Representative:

Date Signed:

If fringe benefits and/or overhead are not specifically itemized in the Cost Proposal Sheet and if the proposer inserts a \$0, the proposer must explain why these line items are not itemized. A blank space for either fringe benefits or overhead will be grounds for immediate disqualification.

Failure to budget for all tasks included in the Scope of Work will be grounds for disqualification.

**Proposal Scoring Sheet**  
**Baja Tire Management Assistance (IWM08043)**

There are 300 total points available. Proposers must score a minimum of 70 percent of the overall points in Sections 1-4 in order to qualify for further consideration.

1. Overall approach and organization - Maximum 30 points \_\_\_\_\_
  - a) Format and organization of proposal. (3)
  - b) Overall approach and understanding of problems, issues and required tasks. (12)
  - c) Addresses all items in RFP. (9)
  - d) Clarity of proposal. (6)
  
2. Methodology - Maximum 75 points \_\_\_\_\_
  - a) Soundness of proposed methodology. (30)
  - b) Appropriateness of proposed methodology. (30)
  - c) Feasibility of work plan and schedule. (15)
  
3. Qualifications/Resources - Maximum 75 points \_\_\_\_\_
  - a) Assigned staff's knowledge and educational background of the particular project involved. (30)
  - b) Assigned staff's experience and background in similar projects. (30)
  - c) Abilities of assigned staff to conduct the necessary research with proficiency and accuracy and without omission. (15)
  
4. Past Work - Maximum 30 points \_\_\_\_\_  
 (References will be contacted.)
  - a) Similarity between previous projects and the project contained in this RFP. (15)
  - b) The success (including level of completion) of past projects and any related work record. (15)

SUBTOTAL \_\_\_\_\_

5. Cost of proposal - Maximum 90 points \_\_\_\_\_

<b>TOTAL SCORE</b>	<b>300 POINTS</b>
--------------------	-------------------

Evaluator's Signature \_\_\_\_\_

Date \_\_\_\_\_



## Small Business/Disabled Veteran Business Enterprises (DVBE) Participation Summary

MARK ONE FOR EACH FIRM USED			NAME OF FIRM	NATURE OF WORK	TOTAL AMOUNT OF WORK (Mark one for each firm used)		IS CERTIFICATION FORM ATTACHED?
PRIME BIDDER	SUBCON-TRACTOR	SUPPLIER			SMALL	DVBE	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	

The appropriate certification letter issued by the Office of Small Business and Disabled Veteran Business Enterprise Services (OSDS) can be attached for each Small and DVBE business identified.

**Demonstration of Good Faith Efforts**Check only one: ☐ Small Business ☐ Disabled Veteran Business Enterprise

Use same template, but submit separate forms for SB and DVBE efforts, checking the appropriate box above. See the DGS website at <https://www.apps.dgs.ca.gov/OSDCSearch/OSDCSearch.aspx> to search for certified SBs/DVBEs. **Note: This form must be submitted if the participation levels indicated on the SB/DVBE Participation Summary form are less than 25% for SB and 3% for DVBE.**

1. Contact made with California Integrated Waste Management Board to identify potential SB/DVBE firms:

Contact Name: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

2. Contact made with other State agencies, including the Department of General Services, to identify potential SB/DVBE firms. See the DGS website at <https://www.pdl.dgs.gov/smbus/sbainternet.htm> for a list of agency SB/DVBE advocates.

Name of Agency	Contact Name	Contact Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Advertisements published in at least one trade or focus paper focusing on SB/DVBE firms. Bidders must publish advertisements in trade and focus publications at least **14 calendar days** before the date the bid or proposal is due. **Attach a copy of each advertisement.** Planholder lists are not acceptable. Go to <http://www.documents.dgs.ca.gov/pd/smallbus/TradePaper.pdf> and <http://www.documents.dgs.ca.gov/pd/smallbus/FocusPaper.pdf> to see a list of DVBE Trade and Focus paper resources.

Name of Paper or Publication	Date Published
_____	_____
_____	_____
_____	_____
_____	_____

4. Invitations for bid sent to potential SB/DVBE firms. The SB/DVBE firms which were available and considered:

Firm's Name:	_____	Contact Name:	_____
Nature of Work:	_____	Phone Number:	_____
Results of Contact:	_____		
Reason(s) if Rejected:	_____		
Firm's Name:	_____	Contact Name:	_____
Nature of Work:	_____	Phone Number:	_____
Results of Contact:	_____		
Reason(s) if Rejected:	_____		
Firm's Name:	_____	Contact Name:	_____
Nature of Work:	_____	Phone Number:	_____
Results of Contact:	_____		
Reason(s) if Rejected:	_____		

### Darfur Contracting Act

Pursuant to Public Contract Code section 10478, if a bidder or proposer currently or within the previous three years has had business activities or other operations outside of the United States, it must certify that it is not a "scrutinized" company as defined in Public Contract Code section 10476.

Therefore, to be eligible to submit a bid or proposal, please complete only one of the following three paragraphs (via initials for Paragraph # 1 or Paragraph # 2, or via initials and certification for Paragraph # 3):

1.        \_\_\_\_\_  
              Initials                We do not currently have, or we have not had within the previous three years, business activities or other operations outside of the United States.

**OR**

2.        \_\_\_\_\_  
              Initials                We are a scrutinized company as defined in Public Contract Code section 10476, but we have received written permission from the Department of General Services (DGS) to submit a bid or proposal pursuant to Public Contract Code section 10477(b). A copy of the written permission from DGS is included with our bid or proposal.

**OR**

3.        \_\_\_\_\_  
              Initials  
              + certification  
              below                We currently have, or we have had within the previous three years, business activities or other operations outside of the United States, but we certify below that we are not a scrutinized company as defined in Public Contract Code section 10476.

**CERTIFICATION For # 3.**

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective proposer/bidder to the clause listed above in # 3. This certification is made under the laws of the State of California.

<i>Proposer/Bidder Firm Name (Printed)</i>	<i>Federal ID Number</i>
<i>By (Authorized Signature)</i>	
<i>Printed Name and Title of Person Signing</i>	
<i>Date Executed</i>	<i>Executed in the County and State of</i>

**YOUR BID OR PROPOSAL WILL BE DISQUALIFIED UNLESS YOUR BID OR PROPOSAL INCLUDES THIS FORM WITH EITHER PARAGRAPH # 1 OR # 2 INITIALED OR PARAGRAPH # 3 INITIALED AND CERTIFIED.**

STATE OF CALIFORNIA  
California Integrated Waste Management Board  
CIWMB 74C (Revised 10/08 for Contracts)

To be completed by Contractor	
Name of Contractor:	
Contract #::	Work Order #:

**Recycled-Content Certification**

☐ Check this box if no products, materials, goods, or supplies were purchased with contract dollars and submit to your CIWMB contract manager.

This form may be completed by contractor, vendor, bidder, buyer, state-contracting officer, or state purchasing agent. The form must be completed and returned to the CIWMB with a row completed for each product purchased with contract dollars. Attach additional sheets if necessary. Information must be included, even if the product does not contain recycled-content material. Product labels, catalog/website descriptions, or bid specifications may be attached to this form as a method of providing that information.

Contractor's Name \_\_\_\_\_ Date \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Fax \_\_\_\_\_ E-mail \_\_\_\_\_ Web site \_\_\_\_\_

Product Manufacturer	Product Description / Brand	Purchase Amount (\$)	<sup>1</sup> Percent Postconsumer Material	<sup>2</sup> SABRC Product Category Code	Meets SABRC

Public Contract Code sections 12205 (a) (1) (2) (3) (b) (1) (2) (3) 10233

I certify that the above information is true. I further certify that these environmental claims for recycled content regarding these products are consistent with the Federal Trade Commission's Environmental Marketing Guidelines in accordance with PCC 12205.

Print name \_\_\_\_\_ Signature \_\_\_\_\_ Company \_\_\_\_\_ Date \_\_\_\_\_

(See footnotes on the back of this page.)

1. *Postconsumer material comes from products that were bought by consumers, used, then recycled. For example: a newspaper that has been purchased and read, next recycled, and then used to make another product would be postconsumer material.*

*If the product does not fit into any of the product categories, enter "N/A." Common N/A products include wood products, natural textiles, aggregate, concrete, electronics such as computers, TV, software on a disk or CD, telephone*

2. *Product category refers to one of the product categories listed below, into which the reportable purchase falls. For products made from multiple materials, choose the category that comprises most of the product by weight, or volume.*

Note: For reused or refurbished products, there is no minimum content requirement.

For additional information visit [www.ciwmb.ca.gov/BuyRecycled/](http://www.ciwmb.ca.gov/BuyRecycled/).

Code	Description	Minimum content requirement
Product Categories (11)		
1	Paper Products - Recycled	30 percent postconsumer fiber, by fiber weight
2	Printing and Writing - Recycled	30 percent postconsumer fiber, by fiber weight
3	Compost, Co-compost, and Mulch - Recycled	80 percent recovered materials. i.e., material that would otherwise be normally disposed of in a landfill
4	Glass - Recycled	10 percent postconsumer, by weight
5	Rerefined Lubricating Oil - Recycled	70 percent re-refined base oil
6a	Plastic - Recycled	10 percent postconsumer, by weight
6b	Printer or duplication cartridges	a. Have 10 percent postconsumer material, or b. Are purchased as remanufactured, or c. Are backed by a vendor-offered program that will take back the printer cartridges after their useful life and ensure that the cartridges are recycled and comply with the definition of recycled as set forth in Section 12156 of the Public Contract Code.
7	Paint - Recycled	50 percent postconsumer paint (exceptions when 50 % postconsumer content is not available or is restricted by a local air quality management district, then 10% postconsumer content may be substituted)
8	Antifreeze - Recycled	70 percent postconsumer material
9	Retreated Tires - Recycled	Use existing casing that has undergone retreading or recapping process in accordance with Public Resource Code (commencing with section 42400).
10	Tire- Derived - Recycled	50 percent postconsumer tires
11	Metals - Recycled	10 percent postconsumer, by weight

### Proposal Completion Checklist

Please use this checklist to assist in the preparation of your Proposal package to ensure that all required items are included.

- 
- ☐ Cover Letter with contact information and statements as required in the RFP.
  - ☐ Organizational information and Personnel Information (Resumes)
  - ☐ Proposal (detailed Work Plan)
  - ☐ Cost Proposal Sheet
  - ☐ Samples of Written Work
  - ☐ Client References
  - ☐ Copy of Required License(s) (Secretary of State)
  - ☐ Contractor Status Form
  - ☐ Small Business/Disabled Veteran Business Enterprise (DVBE) Participation Summary *Form must be submitted even if participation levels are zero (write zero participation on form). If participation levels are under the required levels, the Demonstration of Good Faith Efforts form must also be submitted (see below).*
  - ☐ Demonstration of Good Faith Efforts *Submit form(s) only if participation level is below 25% for SB and/or 3% for DVBE. Submit separate forms for SB and DVBE and mark appropriate box at top of form.*
- 

The following number of PROPOSAL packages must be submitted as the Contractor's response to this RFP:

- ☐ One (1) unbound reproducible original Proposal package marked "Original"
  - ☐ 3 bound copies of the Proposal package marked "Copy".
  - ☐ One (1) Electronic copy of Proposal Package in Adobe Acrobat format with all documents in a single file, including all attachments.
- 

The following form is only required upon submittal as applicable pursuant to the provisions outlined in Section III, Submittal Requirements:

- ☐ Certification of Enterprise Zone Act Preference
  - ☐ Certification of Target Area Contract Preference Act
  - ☐ Certification of Local Military Base Recovery Area Act Preference
- 

The following forms are not required at the time of the proposal submission but will be required by the successful contractor during the contract period:

- ☐ Recycled Content Certification (Attachment E)
  - ☐ Payee Data Record (Standard Form 204)
- 

**Please note that if any of the items are missing from the Proposal package, the package will be considered incomplete and will be disqualified from the process.**

**Contractor Status Form**

Contractor's Name: \_\_\_\_\_ County: \_\_\_\_\_

Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Federal Employer Identification Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

**STATUS OF CONTRACTOR PROPOSING TO DO BUSINESS**

☐ Individual      ☐ Limited Partnership      ☐ General Partnership      ☐ Corporation      ☐ Other

If Individual or sole proprietorship,  
state the true name of sole proprietor: \_\_\_\_\_

If a Limited or General Partnership, list each partner and state their true name and interest in the partnership:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If a Corporation, state place and date of incorporation: \_\_\_\_\_

President: _____	Vice President: _____
Secretary: _____	Treasurer: _____
Other Officer: _____	Other Officer: _____

Provide explanation if claiming Other:

\_\_\_\_\_  
\_\_\_\_\_

**SMALL BUSINESS PREFERENCE**

Are you claiming preference for small/micro business?

☐ YES – Attach approval letter from Office of Small Business Certification and Resources  
☐ NO

Are you claiming preference for DVBE?

☐ YES – Attach approval letter from Office of Small Business Certification and Resources  
☐ NO

NOTE: THIS FORM MUST BE COMPLETED OR YOUR BID MAY BE REJECTED

**Client References**

List at least three (3) client references that can attest to the Bidder's qualifications to fulfill the requirements of the Scope of Work. List the most recent first. Client references must also be provided for any subcontractors identified in the Bidder's response. Duplicate and attach additional pages as necessary.

**BIDDER / SUBCONTRACTOR'S NAME:****REFERENCE 1**

Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Cost of Service	
Brief Description of Service Provided			

**REFERENCE 2**

Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Cost of Service	
Brief Description of Service Provided			

**REFERENCE 3**

Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Cost of Service	
Brief Description of Service Provided			

If three references cannot be provided, explain why: